THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 18954 of 2000

DATE: 05-10-2007

Between :

Dayashankar Sing and 3 others.

… Petitioners

And

Mandal Revenue Officer,
Uppalmandal and another.

… Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO. 18954 of 2000

ORDER:

This writ petition is filed aggrieved by the action of the respondents in seeking to assign the lands in Sy.Nos.2, 9, 34 and 58 of Fathullaguda Village of Uppal Mandal to third parties treating the same as Government land as arbitrary and illegal.

The case of the petitioners is that it is a patta land and proceedings initiated by them under the provisions of the Andhra Pradesh (Telangana Area) Land Revenue Act (for short 'the Act') 1317 F for correction of the entries are still pending and therefore, the respondents are not justified in proceeding with the assignment of the lands.

Initially, this Court, by order dated 29-09-2000, directed the 2nd respondent not to convert the land into plots and assign the same to third parties. However, on a vacate petition moved by the respondents, on 12-03-2001, the interim order was vacated holding as under:

> "I do not find any reason or justification to continue the interim order earlier granted by this Court. In the counter affidavit filed by the respondents, it is stated that the land bearing Sy.Nos.2, 9, 34 and 58 are the government lands but not private lands. In fact, the Government's claim has been upheld by this Court in W.A.No.554 of 1997. The writ petitioners in the affidavit filed in support of the writ petition have not stated anything about the said writ appeal filed by the government.

> It is a clear case of suppression of material facts by them. The writ petition itself deserves summary dismissal on that simple ground.
>
> For the aforesaid reasons, I am not inclined to continue the interim order earlier granted by this Court and the same shall accordingly stand vacated.
>
> The petitions are accordingly disposed of."

In view of the above order, I am of the view that no adjudication on merits at this stage is required.

Accordingly, the writ petition is disposed of leaving it open to the petitioners to work out the appropriate remedy in case the proceedings under the Act are concluded in their favour. No costs.

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G. ROHINI, J

Date: 05-10-2007
KLP